

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

IN RE:

TOMMY'S FORT WORTH, LLC, *et al.*,¹

Debtors.

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Case No. 24-90000-elm11

(Jointly Administered)

**DECLARATION OF IAN R. SHAPIRO IN SUPPORT OF OBJECTION TO DEBTORS'
EMERGENCY MOTION TO ENFORCE AUTOMATIC STAY AND PUNITIVE
DAMAGES FOR WILLFUL VIOLATIONS OF THE AUTOMATIC STAY**

I, Ian R. Shapiro, make this declaration pursuant to 28 U.S.C. § 1746 and state:

1. I am a partner at the law firm Cooley LLP, counsel for Malibu Boats, Inc. and Malibu Boats, LLC (jointly, "Malibu") in the above-captioned bankruptcy proceedings.
2. This Declaration is submitted in support of the response by Malibu Boats, Inc. and Malibu Boats, LLC ("Malibu Boats") to Debtor's Emergency Motion to Enforce Automatic Stay and Punitive Damages for Willful Violations of the Automatic Stay against Malibu Boats, Inc. and Malibu Boats, LLC [ECF 107] (the "Motion").
3. Attached as **Exhibit A** is a true and correct copy of a November 9, 2023 letter (sent via e-mail) from Malibu's General Counsel, Matthew Gooze, to Tommy's Boats.

¹ The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor's federal tax identification number, are: Tommy's Fort Worth, LLC (3473); Tommy's Holding Company, LLC (2662); Tommy's Grand Rapids, LLC (9224); Tommy's Castaic, LLC (7501); Tommy's Lewisville, LLC (4750); High Country Watersports, LLC (6160); Walloon Lake Village Marina, LLC (0277); MKB Florida Holdings, LLC (5698); Tommy's Detroit, LLC (5242); Tommy's California Fresno, LLC (8597); Tommy's Phoenix, LLC (3036); Tommy's Las Vegas, LLC (7721); Tommy's Chattanooga, LLC (0839); Tommy's California Ventura, LLC (5149); Tommy's Rancho Cordova, LLC (1070); Tommy's Stockton, LLC (1338); and Tommy's Knoxville, LLC (8052).

I declare under penalty of perjury that the foregoing is true and correct according to the best of my knowledge, information, and belief.

Dated: June 6, 2024

/s/ Ian R. Shapiro
Ian R. Shapiro